

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BIPINCHANDRA SHAH,

Petitioner,

-against-

RLI PARTNERS, LIMITED, LIMITED  
LIABILITY COMPANY "INVESTMENT  
LOTTERY COMPANY", LIMITED LIABILITY  
COMPANY "INVESTMENT FINANCIAL  
COMPANY 'METROPOL'", and COMMERCIAL  
BANK "OBI'EDINENNYI INVESTITSIONNYI  
BANK" (LIMITED LIABILITY COMPANY),

Respondents.

Civil Action No.: 08 Civ. 4446 (JES)

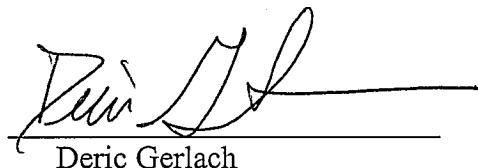
**AFFIDAVIT OF SERVICE**STATE OF NEW YORK )  
                          ) ss.:  
COUNTY OF NEW YORK )

DERIC GERLACH, being duly sworn, deposes and says:

1. That he is over eighteen years of age, resides in the State of New York and is not a party to the above-titled action.

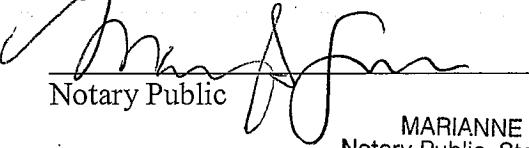
2. That he, on June 16, 2008, served by fax, as agreed to in the annexed email, a true and correct copy of the Order of Attachment and accompanying exhibit associated with Petitioner Bipinchandra Shah's Petition to Confirm Foreign Arbitral Award and Application for a Temporary Restraining Order and Pre-Judgment Order of Attachment upon the following:

Citibank, N.A.  
One Court Square  
Long Island City, New York 11101  
Fax no.: (866) 560-0633



Deric Gerlach

Sworn to before me this 16 th  
day of June, 2008.



Notary Public

MARIANNE S. GUNN  
Notary Public, State of New York  
No. 01GU6703715  
Qualified in New York County  
Commission Expires 10/31/ 2010

**From:** Mihalik, Mary B [mailto:[mary.b.mihalik@citi.com](mailto:mary.b.mihalik@citi.com)]  
**Sent:** Thursday, May 29, 2008 9:41 AM  
**To:** John J. Hay  
**Subject:** RE: RESTRAINING ORDER - a/c 3625-3085  
**Importance:** High

John,

Please serve me via fax at 1-866-560-0633. I have desktop fax so the document will go directly to my email inbox.

Regards,

Mary B. Mihalik, VP  
Citi Markets & Banking  
GCO-Litigation  
388 Greenwich Street / 17th Floor  
New York, NY 10013  
tel: 1-212-816-6182  
fax: 1-866-560-0633  
email: [mary.b.mihalik@citi.com](mailto:mary.b.mihalik@citi.com)

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**From:** John J. Hay [mailto:[JHay@salans.com](mailto:JHay@salans.com)]  
**Sent:** Wednesday, May 28, 2008 6:21 PM  
**To:** Mihalik, Mary B [CMB-GCO]  
**Subject:** RE: RESTRAINING ORDER - a/c 3625-3085

Mary:  
I wanted to give you a heads-up that, out of an abundance of caution, we intend to serve Citibank with a copy of the same attachment order today and on other occasions in the future to ensure that any funds coming into the account are covered by the attachment. Since you are handling this matter we will serve by fax (which is permitted under the order), to your fax. Please advise if you want us to fax it to some other fax number in order to effect service.

John Hay

John Hay  
Salans  
Rockefeller Center  
620 Fifth Avenue,  
New York, NY 10020-2457  
(Tel) (212) 632-8457  
(Fax) (212) 307-3397  
[jhay@salans.com](mailto:jhay@salans.com)  
[www.salans.com](http://www.salans.com)